IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 14197 of 2007(M)

PETITIONER:

P.O. SAMSON,
SUPERINTENDING ENGINEER (RETD.),
DHANYA, PALARIVATTOM, COCHIN.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
CHIEF SECRETARY, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR, VIGILANCE AND
ANTI-CORRUPTION BUREAU, THIRUVANANTHAPURAM.

3. PRINCIPAL SECRETARY,
(HOME & VIGILANCE), GOVT.OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.

4. DIRECTOR GENERAL OF POLICE,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM.

5. CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY THE STANDING COUNSEL,
CBI.

R5 BY ADV. SRI.S.SREEKUMAR, SC FOR CBI
R1 TO 4 BY GOVT. PLEADER SRI. T.B. HOOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

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W.P.C.No. 14197 of 2007 M

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Dated this the 11th day of June, 2007

JUDGMENT

The petitioner is the accused in a prosecution under the provisions of the Prevention of Corruption Act. The investigation into the crime is already over. Final report has already been filed. The petitioner has entered appearance. He has a grievance that in the course of investigation a police officer did demand illegal gratification from him on the promise that he would then be exonerated. The petitioner lodged a complaint before the authority. He has now come to this Court with a grievance that the complaint was not receiving the attention that it deserves. He prayed that appropriate direction may be issued under Article 226 of the Constitution.

2. The learned Prosecutor, on instructions, submits that it is not correct to say that the grievance of the petitioner is not receiving the requisite attention A vigilance enquiry has already been ordered. In pursuance of the said order by the Government, the petitioner has already been questioned, though such questioning occurred after

filing of this petition. In these circumstances the needful shall be done on the complaint raised by the petitioner. Necessary action shall be taken. If any offence has been committed, the offender shall be brought to book, submits the Prosecutor. Copies of the relevant orders of the Government and the Director, Vigilance and Anti Corruption Bureau are placed before court for perusal. In the light of the events which are revealed and which have occurred in the course of the proceedings, the learned counsel for the petitioner does not seek any further specific directions.

3. Reserving the right of the petitioner to approach this Court again and take necessary action in case the enquiry/investigation does not proceed on proper line, this writ petition is dismissed as agreed.

(R. BASANT)
Judge

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